

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:18-cr-0191-JPH-MJD
)	
GEORGE TRACY,)	- 01
)	
Defendant.)	

REPORT AND RECOMMENDATION

On September 30, 2021, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on August 25, 2021. Defendant Tracy appeared in person with his appointed counsel William Dazey. The government appeared by Abhishek Kambli, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Tasha Taylor.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Tracy of his rights and provided him with a copy of the petition. Defendant Tracy orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Tracy admitted violation numbers 1, and 2. [Docket No. 45.]
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

- 1 **“You shall reside at a location approved by the probation officer and shall notify the probation officer at least 72 hours prior to any planned change in place or circumstances of residence or employment (including, but not limited to, changes in who lives there, job positions, job responsibilities). When prior notification is not possible, you shall notify the probation officer with 72 hours of the change.”**

In approximately early August 2021, the offender was evicted from his last reported residence and his whereabouts are currently unknown.

- 2 **“You shall report to the probation officer in a manner and frequency directed by the court or probation officer.”**

The offender was instructed to report to the probation office by 1:00 p.m. on August 18, 2021. He failed to appear for the appointment and has made no contact with this officer since being instructed to report.

4. The parties stipulated that:

- (a) The highest grade of violation is a Grade C violation.
- (b) Defendant’s criminal history category is III.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 5 to 11 months’ imprisonment.

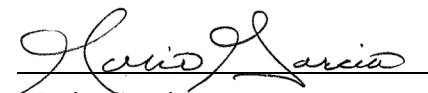
5. The government recommended a modification to include residing at a residential reentry center (VOA) for a period of up to six (6) months with all other conditions remaining in effect. Defendant recommended a modification to include electronic monitoring with all other conditions remaining in effect.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, and that his supervised release should be MODIFIED to include residing in a residential reentry center for a term of up to 180 days. Defendant shall abide by the rules and regulations of the facility.

Defendant is permitted to have visitation with daughter. All other conditions of supervised release remain in effect. Defendant will remain in custody pending designation by the Bureau of Prisons.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Date: 10/1/2021


Mario Garcia
United States Magistrate Judge
Southern District of Indiana

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